

A. DEFINITIONS (34 CFR 303.5-303.21 and 303.23)

The State of Missouri has adopted the definitions in 34 CFR 303.5-303.24 of the Part C regulations and selected terms as defined in 34 CFR 77.1 and 74.3 for use in implementing the State's early intervention program.

Act (34 CFR 303.6)

As used in this part, Act means the Individuals with Disabilities Education Act (IDEA).

Children (34 CFR 303.7)

As used in this part, children means infants and toddlers with disabilities as that term is defined in Sec. 303.16.

Council (34 CFR 303.8)

As used in this part, Council means the State Interagency Coordinating Council.

Days (34 CFR 303.9)

As used in this part, days means calendar days unless otherwise noted. Developmental Delay (34 CFR 303.10):

1. the child, as measured by appropriate diagnostic measures and procedures emphasizing the use of informed clinical opinion, is functioning at half the developmental level that would be expected for a child considered to be developing within normal limits and of equal age. In the case of infants born prematurely, the adjusted chronological age should be assigned for a period of up to 12 months or longer if recommended by the child's primary medical home. The delay must be identified in one or more of the following areas:
 - a) cognitive development;
 - b) communication development;
 - c) adaptive development;
 - d) physical development, including vision and hearing;
 - e) social or emotional development;

Early Intervention Program (34 CFR 303.11)

As used in this part, early intervention program means the total effort in a State that is directed at meeting the needs of children eligible under this part and their families.

Early Intervention Services (EIS) (34 CFR 303.12)

- (a) General. As used in this part, early intervention services means services that --
- (1) are designed to meet the developmental needs of each child eligible under this part and the needs of the family related to enhancing the child's development;
 - (2) are selected in collaboration with the parents;
 - (3) are provided:
 - i) under public supervision,
 - ii) by qualified personnel, as defined in Sec. 303.21, including the types of personnel listed in paragraph (e) of this section,
 - iii) in conformity with an individualized family service plan, and
 - iv) at no cost, unless subject to Sec. 303.520 (b) (3), Federal or State law provides a system of payments by families, including a schedule of sliding fees; and,
 - (4) meets the standards of the State, including the requirements of this part.
- (b) Natural environments: To the maximum extent appropriate to the needs of the child, early intervention services must be provided in natural environments, including the home and community settings in which children without disabilities participate.
- (c) General role of service providers. To the extent appropriate, service providers in each area of early intervention services included in paragraph (d) of this section are responsible for --
- (1) consulting with parents, , other service providers, and representatives of appropriate community agencies to ensure the effective provision of services in that area;

- (2) training parents and others regarding the provision of those services; and,
 - (3) participating in the multidisciplinary team's assessment of a child and child's family and in the development of integrated goals and outcomes for the individualized family service plan
- (d) EIS includes:
- 1) Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities. Assistive technology service means a service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. Assistive technology services include:
 - a) the evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
 - b) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
 - c) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
 - d) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
 - e) training or technical assistance for a child with disabilities or if appropriate, that child's family; and,
 - f) training or technical assistance for professionals (including individuals providing early intervention services) or other individuals who provide services to, or are otherwise substantially involved in the major life functions of individuals with disabilities.
 - 2) Audiology includes:
 - a) identification of children with auditory impairments, using at risk criteria and appropriate audiologic screening techniques;
 - b) determination of the range, nature, and degree of hearing loss and communication functions, by use of audiological evaluation procedures;
 - c) referral for medical and other services necessary for the habilitation or rehabilitation of children with auditory impairment;
 - d) provision of auditory training, aural rehabilitation, speech reading and listening device orientation and training, and other services;
 - e) provision of services for prevention of hearing loss; and
 - f) determination of the child's need for individual amplification, including selecting, fitting, and dispensing appropriate listening and vibrotactile devices, and evaluating the effectiveness of those devices.
 - 3) Family training, counseling, and home visits means services provided, as appropriate, by social workers, psychologists, and other qualified personnel to assist the family of a child eligible under this part in understanding the special needs of the child and enhancing the child's development.
 - 4) Health Services (See Section 303.13)
 - 5) Medical Services only for diagnostic or evaluation purposes means services provided by a licensed physician to determine a child's developmental status and need for early intervention services.

- 6) Nursing Services include:
 - a) the assessment of health status for the purpose of providing nursing care, including the identification of patterns of human response to actual or potential health problems;
 - b) provision of nursing care to prevent health problems, restore or improve functioning, and promote optimal health and development; and,
 - c) administration of medications, treatments and regimens prescribed by a licensed physician.
- 7) Nutrition Services includes conducting individual assessments in:
 - a) nutritional history and dietary intake;
 - b) anthropometric, biochemical, and clinical variables;
 - c) feeding skills and feeding problems; and,
 - d) food habits and food preferences;
 - e) developing and monitoring appropriate plans to address the nutritional needs of children eligible based on assessment findings; and,
 - f) making referrals to appropriate community resources to carry out nutrition goals.
- 8) Occupational Therapy includes services to address the functional needs of a child related to adaptive development, adaptive behavior and play, and sensory, motor, and postural development. These services are designed to improve the child's functional ability to perform tasks in home, school, and community settings and include:
 - a) identification, assessment and intervention;
 - b) adaptation of environment, and selection and design and fabrication of assistive and orthotic devices to facilitate development and promote the acquisition of functional skills; and,
 - c) prevention or minimization of the impact of initial or future impairment, delay in development or loss of functional ability.
- 9) Physical Therapy includes services to address the promotion of sensorimotor function through enhancement of musculoskeletal status, neurobehavioral organization, perceptual and motor development, cardiopulmonary status, and effective environmental adaptation. These services include:
 - a) screening, evaluation, and assessment of infants and toddlers to identify movement dysfunction; and,
 - b) obtaining, interpreting, and integrating, information appropriate to program planning to prevent, alleviate, or compensate for movement dysfunction and related functional problems, and
 - c) providing individual and group services or treatment to prevent, alleviate, or compensate for movement dysfunction and related functional problems.
- 10) Psychological Services include:
 - b) administering psychological and developmental tests, and other assessment procedures;
 - c) interpreting assessment results;
 - d) obtaining, integrating and interpreting information about child behavior, and child and family conditions related to learning, mental health, and development; and,
 - e) planning and managing a program of psychological services, including psychological counseling for children and parents, family counseling, consultation on child development, parent training and education programs.
- 11) Service coordination services means assistance and services provided by a service coordinator to an eligible child and the child's family that are in addition to the following functions and activities as defined in 34 CFR 303.23.

- 12) Social Work Services include:
- a) making home visits to evaluate a child's living conditions and patterns of parent-child interaction;
 - b) preparing a social or emotional developmental assessment of the child within the family context;
 - c) providing individual and family-group counseling with parents and other family members, and appropriate social skill-building activities with the child and parents;
 - d) working with those problems in a child's and family's living situation (home, community, and any center where early intervention services are provided) that affect the child's maximum utilization of early intervention services; and,
 - e) identifying, mobilizing, and coordinating community resources and services to enable the child and family to receive maximum benefit from early intervention services.
- 13) Special Instruction includes:
- a) the design of learning environments and activities that promote the child's acquisition of skills in a variety of developmental areas, including cognitive processes and social interaction;
 - b) curriculum planning, including the planned interaction of personnel, materials, and time and space, that leads to achieving the outcomes in the child's individualized family service plan;
 - c) providing families with information, skills, and support related to enhancing the skill development of the child; and,
 - d) working with the child to enhance the child's development.
- 14) Speech/Language Pathology includes:
- a) identification of children with communicative or oropharyngeal disorders and delays in development of communication skills, including the diagnosis and appraisal of specific disorders and delays in those skills;
 - b) referral for medical or other professional services necessary for the habilitation or rehabilitation of children with communicative or oropharyngeal disorders and delays in development of communication skills; and,
 - c) provision of services for the habilitation, rehabilitation or prevention of communicative or oropharyngeal disorders and delays in development of communication skills.
- 15) Transportation and Related Costs includes the cost of travel (e.g., mileage, or travel by taxi, common carrier, or other means) and related costs (e.g., tolls and parking expenses) that are necessary to enable a child eligible for the program and the child's family to receive early intervention services.
- 16) Vision Services means:
- a) evaluation and assessment of visual functioning, including the diagnosis and appraisal of specific visual disorders, delays, and abilities;
 - b) referral for medical or other professional services necessary for the habilitation or rehabilitation of visual functioning disorders, or both; and,
 - c) communication skills training, orientation and mobility training for all environments, visual training, independent living skills training, and additional training necessary to activate visual motor abilities.
- (e) Qualified personnel. Early intervention services must be provided by qualified personnel, including:
- (1) Audiologists;
 - (2) Family therapists;
 - (3) Nurses;
 - (4) Nutritionists;

- (5) Occupational therapists;
- (6) Orientation and mobility specialists;
- (7) Pediatricians and other physicians;
- (8) Physical therapists
- (9) Psychologists;
- (10) Social workers;
- (11) Special educators; and,
- (12) Speech and language pathologists.

Health Services (34 CFR 303.13)

As used in this part, health services means services necessary to enable a child to benefit from the other early intervention services under this part during the time that the child is receiving the other early intervention services.

The term includes:

- a) such services as clean intermittent catheterization, tracheotomy care, tube feeding, the changing of dressings or colostomy collection bags, and other health services, and
- b) consultation by physicians with other service providers concerning the special health care needs of eligible children that will need to be addressed in the course of providing other early intervention services.

The term does not include services that are:

- a) surgical in nature (such as cleft palate surgery, surgery for club foot, or the shunting of hydrocephalus); or
- b) purely medical in nature (such as hospitalization for management of congenital heart ailments, or the prescribing of medicine or drugs for any purpose);
- c) devices necessary to control or treat a medical condition; or,
- d) medical-health services (such as immunizations and regular “well-baby” care) that are routinely recommended for all children.

NOTE: The Definition in this section distinguishes between the health services that are required under Part C of the IDEA and the medical-health services that are not required. The IFSP requirements under Part C provide that, to the extent appropriate, these other medical-health services are to be included in the IFSP, along with the funding sources to be used in paying for the services or the steps that will be taken to secure the services through public or private sources. Identifying these services in the IFSP does not impose an obligation to provide the services if they are otherwise not required to be provided under Part C of IDEA. (See Sec. 303.344(e) and note 3 following that section.)

IFSP (34 CFR 303.14)

As used in this part, IFSP means the individualized family service plan, as that term is defined in Sec. 303.340 (b)

Include; Including (34 CFR 303.15)

As used in this part, include or including means that the items named are not all of the possible items that are covered whether like or unlike the ones named.

Infants and Toddlers with Disabilities (34 CFR 303.16)

- (a) As used in this part, infants and toddlers with disabilities means individuals from birth through age two who need early intervention services because they:
 - (1) are experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas:
 - a) cognitive development
 - b) physical development, including vision and hearing;
 - c) communication development

- d) social or emotional development, or
- e) adaptive development, or
- (2) have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay.

Multidisciplinary (34 CFR 303.17)

As used in this part, multidisciplinary means the involvement of two or more disciplines or professions in the provision of integrated and coordinated services, including evaluation and assessment activities in Sec. 303.322, and the development of the IFSP in Sec. 303.342.

Natural Environments (34 CFR 303.18)

As used in this part, natural environments means settings that are natural or normal for the child's age peers who have no disabilities.

Parent (34 CFR 303.19)

Parent means—

- 1) a natural or adoptive parent of a child;
- 2) a guardian;
- 3) a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare);
- 4) an educational surrogate who has been appointed in accordance with Sec. 303.406;
- 5) a foster parent consistent with Sec. 303.19(b).

Note: The federal regulations state the following in regard to a foster parent.

Foster Parent. Unless State law prohibits a foster parent from acting as a parent, a State may allow a foster parent to act as a parent under Part C of the act if –

- 1) the natural parents' authority to make decisions required of parents under the Act has been extinguished under State law; and
- 2) the foster parent
 - a. has an ongoing, long-term parental relationship with the child;
 - b. is willing to make the decisions required of parents under the Act; and
 - c. has no interest that would conflict with the interests of the child.

Policies (34 CFR 303.20)

(a) As used in this part, policies means State statutes, regulations, Governor's orders, directives by the lead agency, or other written documents that represent the State's position concerning any matter covered under this part.

(b) State policies include—

- (1) a State's commitment to develop and implement the statewide system (See Sec. 303.140);
- (2) a State's eligibility criteria and procedures (see 303.300);
- (3) a statement that provides that, subject to 303.520 (b) (3), services under this part will be provided at no cost to parents, except where a system of payments is provided for under Federal or State law;
- (4) a State's standards for personnel who provide services to children eligible under this part (see 303.361);
- (5) a State's position and procedures related to contracting or making other arrangements with service providers under Subpart F; and,
- (6) other positions that the State has adopted related to implementing any of the other requirements under this part.

Public Agency (34 CFR 303.21)

As used in this part, public agency includes the lead agency and any other political subdivision of the State that is responsible for providing early intervention services to children eligible under this part and their families.

Qualified (34 CFR 303.22)

As used in this part, qualified means that a person has met State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the person is providing early intervention services.

Note: These regulations contain the following provisions relating to a State's responsibility to ensure that personnel are qualified to provide early intervention services:

1. Section 303.12 (a) (4) provides that early intervention services must meet State standards. This provision implements a requirement that is similar to a long-standing provision under Part B of the Act (i.e., that the State educational agency establish standards and ensure that those standards are currently met for all programs providing special education and related services.)
2. Section 303.12 (a) (3) (ii) provides that early intervention services must be provided by qualified personnel.
3. Section 303.361 requires statewide systems to establish policies and procedures related to personnel standards.

Service Coordination (34 CFR 303.23)

Service coordination means the activities carried out by a service coordinator to assist and enable an eligible child and the child's family to receive the rights, procedural safeguards and services that are authorized to be provided under the State's early intervention program.

Each child eligible under this part and the child's family must be provided with one service coordinator who is responsible for—

- i. coordinating all services across agency lines, and
- ii. serving as the single point of contact in helping parents to obtain the services and assistance they need.

Service coordination is an active, ongoing process that involves—

- i. assisting parents of eligible children in gaining access to the early intervention services and other services identified in the individualized family service plan;
- ii. coordinating the provision of early intervention services and other services (such as medical services for other than diagnostic and evaluation purposes) that the child needs or is being provided;
- iii. facilitating the timely delivery of available services; and,
- iv. continuously seeking the appropriate services and situations necessary to benefit the development of each child being served for the duration of the child's eligibility.

Specific service coordination activities include—

- i. coordinating the performance of evaluations and assessments;
- ii. facilitating and participating in the development, review, and evaluation of individualized family service plans;
- iii. assisting families in identifying available service providers;
- iv. coordinating and monitoring the delivery of available services;
- v. informing families of the availability of advocacy services;
- vi. coordinating with medical and health providers; and,
- vii. facilitating the development of a transition plan to preschool services, if appropriate or other services.

Qualifications of service coordinators: Service coordinators must be persons who, consistent with Section 303.344 (g), have demonstrated knowledge and understanding about infants and toddlers who are eligible under this part, Part C of the Act and the regulations in this part; and, the nature and scope of services available under the State's early intervention program, the system of payments for services in the State, and other pertinent information.

Sec. 303.25 EDGAR definitions that apply.

The following terms used in this part are defined in 34 CFR 77.1

- Applicant
- Award
- Contract
- Department
- EDGAR
- Fiscal year
- Grant
- Grantee
- Grant period
- Private
- Public
- Secretary